XI-HC-32

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A.C.485/ सन् 2007

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	APPELLANT : Applicant	Narayan Majoomdar, S/o. Maanbhanjan Majoomdar, aged about 30 years; Caste 'Naamoshudra' permanent resident of P.V.No.32 Pakhanjor; at present residing at T.S.D. Colony, Kevramunda Ward 'Jagdalpur, C/o. Shri Shankar Paul, District Bastar.
	VERSUS	
	RESPONDENTS : Non Applicants	1. United India Insurance Company Ltd.Jagdalpur; District Bastar (C.G.)
		2. Vimal Badhayee, S/o. Vinod Bihari Badhayee;
		3. Kalicharan Mandal, s/o. Sakhacharan Mandal; Caste-'Namoshudra' Both No.2 & 3 resident of P.V. 100 Sub-Tahsil Bande, Tahsil Pakhanjor, District-Kanker.
	Present: Shri R.N.Jha, counsel for the appellant.	
23.04.2007	Heard. This appeal is directed against the order dated 01.03.2007 passed by the Claims Tribunal, Jagdalpur in Claim Execution Case	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A.C. 485/ सन् 2007

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

No. 234/2003 whereby the application of the claimant for withdrawal of the sum of Rs. 25,000/- deposited by the owner has been rejected.

From perusal of the impugned order it appears that the owner has preferred an appeal against the award passed by the Claims Tribunal whereby the Insurance Company has been exonerated from the liability of payment of award amount. The owner has deposited a sum of Rs.25,000/- as per provisions of Section 173 of the Motor Vehicles Act, 1988 in the Claims Tribunal and the application of the claimant for withdrawal of the above sum has been rejected.

In view of the above, the instant appeal under Section 173 of the Motor Vehicle Act, 1988 is directed against the order passed in Execution Case and as such the same is not maintainable under Section 173 of the Motor Vehicles Act, 1988.

The appeal is dismissed as not maintainable.

Sd/-
Dhirendra Mishra
Judge